

D-7999

Original on 5/13 File D 7429/6

No.	12. 7999
Date	22-7-37

July 21, 1937.

The Secretary,
S.L.C.

Reference:- Your File No.K.1/4.
Subject :- Chinese Ratepayers
Association - China's
Sovereignty.

Further to this office letter No.D.7429/6 dated July 15, 1937, I have to state that a telephone message was received at 10.10 p.m. on July 9, 1937 from the Park-Keeper to the effect that a large number of Chinese loafers had congregated in the Bund Gardens and were creating a disturbance by singing, shouting and clapping their hands, while the Municipal Orchestral Concert was in progress. He requested the assistance of the Police in dispersing them.

Police officers were sent and on arrival, whistles were blown by some persons in the crowd which immediately dispersed. The Police with the assistance of three Park Watchmen effected the arrest of seven persons who were taken before the Court and charged under Byelaw 36 and received a caution for committing a nuisance.

The nature of the songs was not in question. It was purely a matter of discourtesy to the Public, assembled to hear the band, by noisy interruption and a case of Public nuisance.

(sd.) K. M. Bourne

Deputy Commissioner in Charge.

File
DSR
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Original on S/B file D. 74-29/6

Translation of letter to Secretary from
Chinese Ratepayers' Association.
Dated 16th July, 1937.

China's Sovereignty

Yu Yao-chui (球耀余), member of our Executive Committee
has written to us as follows:-

S/B
file
D. 74-29/6

"Alarmed by the influx into Shanghai of large quantities of smuggled goods which deal a serious blow at the legitimate trade between China and foreign countries, the Shanghai Anti-Smuggling Committee, with a view to arousing the attention of the people so as to resist in a body this illegitimate traffic, on the 27th ultimo held a General Meeting of Propaganda, and requested several local cinema theatres to exhibit certain slogans on their screens. The Council sent officers to arbitrarily interfere with the Committee's activities. On the 9th instant some young Chinese students sang patriotic songs in the Public Garden on the Bund. This is an ordinary pastime on summer nights. Police Constables, exceeding their authority, assaulted these young men. All this shows contempt for Chinese sovereignty. Should this state of things be allowed to continue the future will be unthinable. When I consider the past and think of the future, I cannot remain silent. As your Association is an organization which protects the legal rights of the Chinese citizens in the Settlement, please take up the matter in the interest of justice so that our national sovereignty may be maintained and public aspiration may have consideration."

To appease public anger and to prevent complication, the Council is asked to pay serious attention to this matter.

(Unhopped) Chinese Ratepayers' Association.

(Note: Received for translation Saturday a.m. 17th July 1937.)

SHANGHAI MUNICIPAL POLICE
S. B. REGISTRY.

No. D 7999

Date 19/7/37

July 19, 1937.

orning Translation.

Social Daily News dated July 18:-

BUND GARDEN ARRESTS DUE TO JEALOUSY

On the evening of July 9, when the Municipal Band was playing in the Bund Garden, several thousand Chinese youths sang national salvation songs on the lawn. The listeners to the Municipal Band then lost interest in the Band and went to listen to the singing by these youths, and as a result, this gave rise to much jealousy on the part of the authorities concerned.

At that time there were many foreign police inspectors enjoying the music of the Municipal Band. As the Municipal Band players looked embarrassed when the Sikh policemen and their friends left the Band to enjoy the songs sung by the Chinese youths, the foreign police inspectors surrounded the singers and arrested some 20 of them who were put into two Police vans which arrived at the entrance to the Bund Garden. Several persons were slapped when they were placed under arrest. The arrested persons are understood to have since been released.

Central Police Station.
15th July, 1937.

Arrest of 7 male Chinese in the Bund Public Gardens for
Disorderly Conduct and Nuisance. 7999 18 37

Made by S.I. S.A. Verhovsky.

I beg to report that at 10.10 p.m. 9.7.37 whilst on Charge

Room Duty, I received a telephone message from the Park-keeper of the Bund Public Gardens Mr. Daung, reporting on behalf of Mr. Kerr, Supt. of Parks and Open Spaces, S.M.C., that a number of Chinese loafers congregated in the above Bund Gardens are creating disorder there by shouting, singing, clapping hands, and refusing to desist, and that Police assistance is requested to disperse them. S.I. Davies, S.I. Hsu Shu Cheng with C.P.C. 182, 2407 and 3186 were sent to the scene and at 10.30 p.m. even date accompanied by above mentioned Park Keeper Daung and Park Watchmen Nos. 43, 80 and 100 brought to the Station from the above Bund gardens 7 male Chinese: (1) Tsou Kyi Loong (朱其龍), 18, Soochow, S/Shop-assistant, 67 Museum Road. (2) Zee Ying Zai (徐英方), 18, Ningpo, S/Student, No. 31 East Yuhang Road, (3) Mau Tsoong Kaung (毛宗康), 25, Canton, S/Accountant, 141 Cuming Road, Chapei, (4) Kiang Siang Yue (江相如), 19, Ningpo, S/Shop-assistant, No. 7 Ningpo Road (5) Kiang Yoong Yue (江永如), 16, Ningpo, S/Apprentice, 253 Nanking Road, (6) Koo Yih Ming (顧一民), 21, Kashing, S/Shop-assistant, No. 9 Ching Yue Li, Avenue Edward VII and (7) Daung Jee Kyi (康其健), 18, Hupeh, S/Student, No. 9 Ching Yue Li, Avenue Edward VII.

Sub. Inapt. Davies and Park-Keeper Daung reported that at about 10.15 p.m. even date, on a patch of grass in the Bund Gardens near the Bund Stand, whilst the band was playing, the accused were sitting in circle on the grass, singing, shouting, and clapping hands with about 200 persons gathered around. The Park-keeper and Park Watchmen on duty picked the above 7 persons out as ringleaders. On arrival of Police whistles were blown by some persons in the crowd, which then stampeded.

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All 7 arrested persons were accordingly charged with committing a common nuisance, Breach of Bye-law 36.

As at the time there was nothing at the disposal of the undersigned that would give some grounds to suspect that the above described outbreak of disorderly conduct on the part of the arrested persons might have been staged or inspired with any ulterior motives of political or other ideological nature whatever, or could be considered to have represented anything else than a simple case of ordinary common nuisance and Breach of S.M.C. Park Regulations Nos. 10 and 14, the undersigned did not think that the occurrence warranted the Special Branch, Headquarters to be informed of it.

Will be
done in
future.
H.R.
16/7.

D.C. (Divisions)
information.

As the ringleaders, which included two students, were obviously out to create trouble I submit the action taken by Police was justified. Copy of letter from Mr. Kerr, Supt. of Parks, and report by S.I. Davis attached.

H. Robertson.
D.O.A. 16/7

Central Police Station.
15th July, 1937.

Seven male Chinese arrested in the Bund Public Gardens
for Disorderly Conduct.

Sub. Inapt. Davies.

I beg to report that at 10.10 p.m. 9.7.37 in response to a telephone message from Mr. Daung, Park-Keeper of the Bund Public Gardens, reporting that a crowd of loafers were creating a disturbance, the undersigned accompanied by Sub-Inspector Hsu Shu Cheng and a party of Police attended the scene.

On arrival at the entrance to the Public Gardens, police were met by Mr. Daung who stated that a crowd of male Chinese were creating a disturbance on a lawn situated on the North side of the gardens, to the annoyance of the Public who were listening to the band.

As police approached singing, shouting and clapping of hands was heard and when 20 yards from a crowd of about 200 persons, police whistles were blown and the crowd scattered, but Park watchmen Nos. 43, 80 and 100 on duty in the crowd and assisted by police, succeeded in effecting the arrest of seven persons who they alleged were the ringleaders.

The arrested persons were brought to the Station with witnesses, and after evidence had been taken the former were charged with Nuisance under Breach of Bye-Law 36, and appeared before the S.S.D. Court on 10.7.37 when they were cautioned and released.

At the time of arrest it was impossible to determine the nature of the songs which were being sung, as no distinct words were heard, and there was no indication that the disturbance had a political bearing.

S.I. B. Davies.

Copy

July 10, 1937.

The Inspector in Charge
Central Police Station.

Dear Sir,

Public Garden

During recent nights much difficulty has been experienced by the staff at the above garden in attempting to prevent a large number of men from creating a disturbance and interfering with the comfort of visitors by singing and shouting.

An open-air concert was held in the garden last night and the disturbance became such a nuisance that I instructed the Park-keeper on duty to telephone to the Central Police Station for assistance.

As you are aware the assistance was quickly forthcoming and seven men were arrested.

As I anticipate further disturbances I shall be much obliged if you will kindly arrange for a number of men to be on duty in the garden between 8 and 11.30 p.m. for a week or so.

The prosecution of persons creating disturbances is covered by Park regulations Nos. 10 and 14 which read as follows:-

"No. 10. - The playing of radios, gramophones and other musical instruments is prohibited.

"No. 14. - No person shall commit a nuisance.

Persons using the garden are warned that the foregoing regulations will be strictly enforced by the Park-keepers and that any infringement thereof will render the person concerned liable to prosecution."

Yours faithfully,

(Sd.) Kerr

Supt. of Parks.

Tri Accused:-I did not sing or shout in the garden. Those who did so had absconded. I am an accountant in a shop.

Extract of Proceedings in S. S. D. Court for

19 F. I. R. No.

Stn. No.

Reg. No.

Stn.

Procurator

Judge

sheet No.2.

10th Admised:-I went into the garden to take a walk. When I arrived at the door I saw the policeman arresting a man. I did not see what had been said on the ground. I did not see what.

11th Admised:-I went into the garden to take a walk. I do not see what had been said on the ground. I saw a man on the ground by the door.

12th Admised:-I went into the garden to take a walk. I saw a man on the ground by the door. I did not see what had been said on the ground.

13th Admised:-I went into the garden to take a walk. I saw a man on the ground by the door. I did not see what had been said on the ground.

Decision
B. M. T.

14th Admised:-I went into the garden to take a walk. I saw a man on the ground by the door. I did not see what had been said on the ground.

No. D 7999
Date 16/7/50

Shanghai Evening News of July 16 :-

WHY CANNOT SONGS ADVOCATING AVERSION OF NATIONAL EXTINCTION
BE SUNG IN BUND GARDEN?

On the night of July 9, five youths were arrested and assaulted by the Police in the Bund Garden because they had sung songs advocating aversion of national extinction. Let us study the reason why we cannot sing these songs in the Bund Garden.

7999

Diamond (金鋼鑽) publishes the following article written by
one "Gi Han" (奇漢):

"A RUNNING-DOG OF FOREIGNERS IN THE BUND GARDEN"

On the evening of July 9, when several youths were singing national salvation songs on the lawn in the Bund Garden, a certain person, aged about 40, wearing a white uniform, came up and interfered. Subsequently, he made a report to the Police Station, whereupon a large number of policemen and detectives arrived at the scene and took the singers to the Station. Two of the latter were slapped and kicked several times by the person in question.

It is said that the person in question is a park-keeper of the Bund Garden and is named Chi (奇). He often oppresses Chinese people, but behaves in a very polite and flattering way when he comes across a foreigner.

July 15, 1937.

Morning Translation.

Shanghai Evening News (registered with the local Italian Consulate-General) published on July 14 the following article written by one "Yoh Chu" (耀祖):-

"WHOSE TERRITORY ARE THE FOREIGN SETTLEMENTS AFTER ALL"?

The other day, certain Chinese youths sang national salvation songs in the Bund Garden. Alleging that the singing of these national salvation songs constituted a breach of the order in the garden, the watchman called in the Police to place the singers under arrest as though the latter had committed serious crimes. However, the singing of songs by foreigners in the garden is not regarded as a breach of order.

It appears that we have no freedom at all to sing any national salvation song in our own territory. Although the garden in question is operated by foreigners, yet the territory is after all ours; the foreigners are but our 'tenants'. We paid admittance fees before entry into the garden and we all sat on the lawn while we were singing. We are therefore at a loss to see how the breach of order was constituted. Let us ask: whose territory are the foreign Settlement after all?

July 14, 1937.

Afternoon Translation. 7999

Sz Tan Pao (時代報) :-

WHERE ARE THE CHINESE?

In view of the fact that the picture "The New Earth" was publicly exhibited and that Chinese dramatic plays have been unreasonably oppressed by the Settlement Film and Dramatic Censorship, people in various circles have formed the Cultural Circles' Settlement Film and Dramatic Censorship Abolition Movement Committee. The movement has not yet produced any results, but others have acted against us. According to newspapers, many Chinese youths were recently arrested in the Bund Garden on the ground that they were singing national salvation songs.

The singing of national salvation songs is regarded as a violation of the Settlement regulations for the maintenance of peace and order. In the eyes of the rulers of the foreign Settlements, the Chinese people in the Settlements are similar to slaves without a nation.

In the foreign Settlements, there are Chinese members of the foreign Councils and the Chinese Ratepayers' Associations. It is a fact that Chinese who sang national salvation songs were arrested and it is possible that they will be arraigned before the Court. No Chinese have come out to open negotiations with the Settlement authorities. Where are the Chinese people? Can it be said that those in the foreign Settlements are not Chinese at all? We are now deprived of the freedom of singing national salvation songs.

The Chinese people must find a way out. We must struggle to the utmost. We should sing national salvation songs in the ears of those who oppress us. We should sing songs calling for the recovery of the foreign Settlements.

Where are the Chinese people? Let us be ready to sing national salvation songs at the Police Stations!

Iron News (鐵報) publishes the following editorial :-

SETTLEMENT FILM AND DRAMATIC CENSORSHIP RIGHTS ABOLITION MOVEMENT.

The cultural circles in Shanghai are now promoting a movement to bring about the abolition of the film and dramatic censorship rights in the foreign Settlements of Shanghai.

In the course of a speech, Mr. Chow Chien-yuin (周劍雲) said:- "The staging of dramatic plays and the exhibition of films in the Settlement have faced many difficulties and this is because the Settlement authorities have forgotten their own position in the Settlement and treat us entirely on the same footing as colonials without respect for the Chinese people....." What a sad statement this is! Our forefathers originally only leased the land to others and it was not anticipated that several tens of years later these other people would "forget their own position as a Settlement" and "treat us as colonials".

No. D 7999

Date 21

July 13, 1937.

Afternoon Translation.

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Lih Pao publishes the following article written by one Han Long (漢龍) :-

LET US REMAIN CHINESE EVEN IN THE FOREIGN SETTLEMENTS

It is true that our North-eastern provinces have been seized from us by the bandits, but what about the Foreign Settlements in Shanghai? Even if we have very short memories, we cannot be ignorant of the status quo in the Shanghai Settlements. We have been told that if we live in the Foreign Settlements of Shanghai, we should forget that we are Chinese people. Do the Chinese Deputy Secretary and members of the S.M.C. ever raise any protest against such insulting remarks, or have they really forgotten that they are citizens of the Republic.

However, after all, will it be possible for the Settlement authorities to arrest all those who have not forgotten that they are Chinese people? Does the singing of national salvation songs in the Bund Garden constitute any offence? Why were the youths who sang such songs in the Bund Garden arrested? At this time of acute national crisis, it is the duty of every Chinese to work for the salvation of the nation. It therefore seems to me that the Chinese policemen in foreign employ have forgotten that they are Chinese people. According to the circumstances, fresh developments will take place in connection with the case against the arrested singers who will very likely be arraigned before the Court. But, will the Chinese Judges listen to the wishes of the foreigners or will they remember that they are Chinese people?

We should always remember, especially inside the Foreign Settlements, that we are Chinese. We should never forget the oppression we are now suffering at the hands of those who have forcibly occupied our territories and from their slavish followers. They are an obstacle in our path to freedom.

SHANGHAI MUNICIPAL POLICE.

File No. 7920

Section 1, Special Br. *Schmidt*

REPORT

Date July 13, 1937.

Subject National Salvation Songs Sung in Bund Gardens.

Made by C.D.I. Sih Tse-liang

Forwarded by *C. Gassola D.D.*

Seven Chinese youths were arrested by the Municipal Police at about 10.30 p.m. July 9, 1937, in the Bund Gardens, for committing a nuisance, i.e. shouting in a loud voice while the band of the Municipal Orchestra was giving a concert. They were charged under Bye-law No. 36 and brought before the Shanghai 1st Special District Court on July 10, 1937, when they were cautioned and released.

According to enquiries made, these Chinese youths who were shop assistants and apprentices, were actually humming national salvation songs one after the other, not in concert, while they were enjoying the cool air in the Garden. It is the usual habit of the local labouring class, during the hot season, to make full use of the public spaces to enjoy the cool air. Bund Garden is one of the most favoured spots and consequently with the advent of the hot weather, the Bund Garden has been thronged with people, among whom are many Chinese youths, consisting mostly of students and shop assistants.

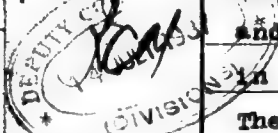
The singing of national salvation songs has now become a hobby of the Chinese youths, and whenever there is a chance or when they have nothing better to do, they indulge in this amusement.

In the evening of July 10, the usual crowd collected in the Bund Garden, and amongst them were a few members of the China Amateur Travelling Group, a national salvation organization, and a number of students of the Da Kee Primary School, located in the Temple of Queen of Heaven, North Honan Road, O.O.L. These people are believed to have started the chant of the national salvation songs, which was picked up by the other

D.C.(D.M.)



S.A. A. were a most necessary & prominent



O.C.(C) No. 14/1

SHANGHAI MUNICIPAL POLICE.

File No.....

REPORT

Station,

Date.....19

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Subject.....

Made by..... Forwarded by.....

inmates of the Garden, and was carried on spasmodically by the Chinese populace there. This carried on until about 10.30 p.m., when the noise of the singing so disturbed the orchestra, which was playing at the time, that the Park Keeper decided to summon the police and the seven youths were taken into custody for behaving in a disorderly manner. The songs were not being sung by any group of persons in the Garden, but as soon as one person finished, it was carried on by another who was in the vicinity and so it passed on.

Spl. Br. was not informed
regarding these arrests.

Sih Jue Liang
C. D. I.

DBR

13/7

D.C. (Special Branch).

127371 Tien Hsia Daily News (天下日報) publishes the following article written by one Chow Koo (周顧):

THE BUND GARDEN ARRESTS: POLICE EXCEED AUTHORITY

According to newspapers, on the evening of July 9, when the Municipal Band was playing in the Bund Garden, some youths suddenly began to sing national salvation songs and the singing was responded to by a number of others present. Later, a large number of uniformed men and detectives from the Central Police Station arrived at the scene. Seven or eight persons were arrested and taken to the Station. At the same time various persons were assaulted.

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I am really at a loss to see how the singing of songs in a garden can constitute a crime. If the singing of songs was regarded as constituting a breach of the peace, it could be stopped immediately. Why should the Central Police Station despatch a large number of uniformed men and detectives to the garden, make several arrests and assault visitors? Under what law did the Police make the arrests and assault visitors? It shows that any person who has authority need not pay any attention to the law.

Of late, the S.M.C. has oppressed the Chinese people repeatedly. In the interests of the good appearance of the district, the S.M.C. has demolished straw huts without consideration of the existence of several tens of thousands of poor people. The S.M.C. has unreasonably prohibited the staging of national defence dramatic plays as well as the exhibition of films suggesting the same; even the exhibition of lantern slides propagating the boycott of smuggled goods was also banned. However, the S.M.C. allowed the screening of "The New Earth," a Japanese film harmful to the friendly relations between Japan and China.

There is now a movement for the abolition of the Settlement Film and Dramatic Plays Censorship. I am of the opinion that besides supporting this movement, we should also help the movement for the abolition of consular jurisdiction.

Sin Wan Pao (Evening Edition) published the following comment on July 11 :-

SINGERS ARRESTED IN BUND GARDEN

To sing in parks is quite a common practice as parks are nominally places for the public. Nor is it an offence for one to sing as a means of pastime. Yet on the night of July 9, three youths were arrested by the Municipal Police for singing in the Bund Garden. Is not this affair strange?

It is said that they were arrested because they sang national salvation songs and to sing such songs in parks is regarded as a serious matter. If this be the case, it is all the more to be deplored. Why should they be arrested for singing national salvation songs? Can the singing of songs that demonstrate the patriotic feelings of the Chinese people be regarded as an impairment of the diplomatic relations of China with foreign nations, or as harmful to the peace and order of this city? Why did the Municipal Police interfere with the singing of national salvation songs? It must be known that the patriotic feelings of the Chinese people can never be suppressed. This can be witnessed by the fact that whereas the singers in the Bund Garden were arrested, sounds of "March forward! March forward!" at once followed on the Whangpoo. This is the very time for us to do what is mentioned in the national salvation songs, because it is always right for a Chinese to work for the salvation of his nation.

C-2 254
C-2
7/11

Shun Pao and other local newspapers :- 11-7-37 (A.M.)

**INTERFERENCE BY S.M.C. IN BOYCOTT MOVEMENT AND
SINGING OF NATIONAL SALVATION SONGS**

Mr. Yu Yao-chiu (余耀球), a member of the Executive Committee of the Chinese Ratepayers' Association of the International Settlement, yesterday sent a letter to the Association asking it to convene as soon as possible a general meeting of the representatives of the ratepayers as a protest against the unreasonable intervention by the S.M.C. in the exhibition in local cinema theatres of slogans on the boycott of smuggled goods and its arbitrary arrest of youths for singing national salvation songs.

The letter reads as follows:-

"I have the honour to inform you that with a view to arousing the attention of the public to the considerable damage done to the trade between this country and other nations by smuggling as well as to urging the people to adopt unanimous action in the suppression of smuggling, the Smuggled Goods Boycott Movement Committee formed by the various local public bodies held a general propaganda meeting on June 27. In order to arouse the public interest in this movement, the Committee later sent letters to the various local cinema theatres requesting them to exhibit among their programmes slogans on the boycott of smuggled goods. Unexpectedly, however, this exhibition was stopped and unreasonably interfered with by the officials detailed from the S.M.C.

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"Furthermore, on the night of July 9, several young students were enjoying the cool breeze in the Bund Garden and singing national salvation songs. Now it is quite a common practice for persons to sing during hot summer nights. However, they were arbitrarily assaulted by officials from the Municipal Police. It seems that the S.M.C. is doing everything to show its authority in gross contempt of our national prestige and standing. If this be allowed to continue, the conditions of the Chinese people will become indescribably more deplorable.

"As the Chinese Ratepayers' Association is the only organization that looks after the interests and privileges of the Chinese ratepayers in the International Settlement, you are, therefore, requested to devise ways and means to uphold the prestige of this country so as to appease public desires."

China Times and other local newspapers :- 11-7-37 (PM)

SEVEN YOUTHS ARRESTED IN BUND GARDEN FOR SINGING NATIONAL
SALVATION SONGS

The singing of national salvation songs by ten or more youths in the Bund Garden near the Garden Bridge at about 10 p.m. July 9, and the subsequent gathering of a small number of park visitors who listened to them and occasionally clapped their hands as an accompaniment, brought interference from the garden attendants. The latter informed the police by telephone and soon after a large number of Chinese and foreign policemen arrived in motor cars. As the singers made attempts to escape, policemen chased after them blowing their whistles, resulting in a great disturbance of order.

Seven youths were arrested and one of them had his face slapped several times on the spot. They were taken away in police cars.

At about 11 p.m. the voice of "Forward; Forward!....Fight back to the old home!" was again heard; it was some young fellows singing, in a boat on the Whangpoo.

The arrested youths, it is said, will be charged by the Police for disturbance of order.

Lih Pac: 10-7-27

NATIONAL SALVATION SONG SUNG IN BUND GARDEN: SEVERAL
ARRESTED

At 10.15 p.m. yesterday, when the Municipal Band was playing in the Bund Garden, some persons amongst the audience suddenly sang the national salvation song and the singing was responded to by a number of others present. They were at once stopped by the policemen in the garden and the Central Police Station was communicated with. In response, a large number of policemen and detectives were sent to the scene and seven or eight persons were arrested and taken to the Police Station.

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